

VZCZCXYZ0000  
RR RUEHWEB

DE RUEHGP #0811 0740227  
ZNR UUUUU ZZH  
R 150227Z MAR 06  
FM AMEMBASSY SINGAPORE  
TO RUEHC/SECSTATE WASHDC 9167  
INFO RUEAWJA/DEPT OF JUSTICE WASHDC  
RUCPDO/DEPT OF COMMERCE WASHDC

UNCLAS SINGAPORE 000811

SIPDIS

SENSITIVE  
SIPDIS

STATE PASS TO USTR FOR VESPINEL AND JJENSEN  
COMMERCE FOR CPETERS  
UPSTO FOR PFOWLER  
COPYRIGHT OFFICE FOR STEPP

E.O. 12958: N/A  
TAGS: [KIPR](#) [ECON](#) [ETRD](#) [EINV](#) [SN](#)  
SUBJECT: IPR: SINGAPORE CHARGES FIRST COMPANY UNDER AMENDED  
ANTI-PIRACY LAW

REF: 05 SINGAPORE 2817

11. (U) Summary: The Singapore Subordinate Court on March 9 charged interior design firm PDM International with three counts of copyright infringement, in the first case based on 2005 amendments to Singapore's Copyright Act. Business Software Alliance (BSA) representatives believe a successful prosecution will result in a significant drop in the use of pirated business software in Singapore. End Summary.

12. (U) Singapore Police raided PDM's offices on September 15, 2005, based on a tip from the BSA; prosecutors accuse PDM of using over 50 copies of illegal software (reftel). The court has not charged any PDM officials individually, but the company now faces a maximum fine of S\$20,000 (US\$12,000) per violation. Microsoft, Adobe, and Autodesk, whose copyrights PDM infringed, may also take civil action against PDM. Prior to the 2005 amendments, which Singapore implemented in part to fulfill its commitments under the U.S.-Singapore Free Trade Agreement, civil prosecution was the only recourse available in IP piracy cases.

13. (SBU) BSA representatives earlier had told Econoff they were concerned about delays in bringing this case to trial. BSA sources attributed the holdup to a disagreement within the government over the wording of the Copyright Act amendments. BSA explained that the Attorney General's Chambers initially interpreted the law to suggest that only illegal software installations post January 1, 2005 were subject to prosecution. Prosecutors now believe they could convict PDM for all illegal software police discovered during the raid, regardless of whether PDM installed it before or after January 1, 2005, BSA concluded.

14. (SBU) Both BSA and the Singapore office of the Motion Picture Association of America (MPAA) said that successful prosecution of this case should result in a considerable drop in piracy rates in Singapore. The BSA pointed out that, according to studies conducted by the research firm IDC, piracy rates in Singapore have fallen 20 percent since enactment of the Copyright Act amendments. Observing that Singaporeans are generally law abiding and respectful of government regulations, one BSA representative suggested that if Singapore pursued three to four successful (and well publicized) prosecutions per year, Singapore's business software piracy rate could become among the lowest in the world.  
HERBOLD